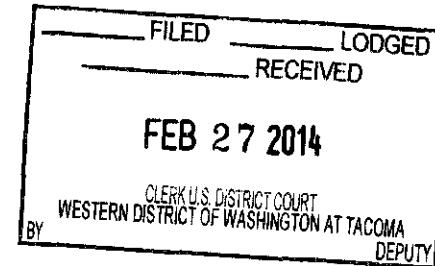


1 THE HONORABLE RONALD B. LEIGHTON  
2  
3  
4  
5  
6



14-CV-05114-M



7  
8 UNITED STATES DISTRICT COURT  
9 WESTERN DISTRICT WASHINGTON  
10 AT TACOMA

11 TIMOTHY DIETZ,  
12 Plaintiff,  
13 vs.  
14 MIDLAND CREDIT MANAGEMENT,  
15 INC,  
16 Defendant.

Case No. 3:14-cv-05114-RBL

**MOTION TO REMAND BACK TO  
STATE COURT**

**NOTE ON MOTION CALENDAR:**  
**MARCH 28, 2014**

17 Plaintiff, Timothy Dietz, moves this Honorable Court to remand back to Washington  
18 State Small Claims Court case 14 S 4, stating in support thereof:

19 1. The TCPA statute 47 U.S.C. § 227, can be brought in the Small Claims Department of  
20 Cowlitz County District Court because it is a Court with proper subject matter  
21 jurisdiction. There is no need for remand to the United States District Court.  
22  
23 2. The United States District Court does not maintain original jurisdiction over the TCPA.

24  
25  
MOTION TO REMAND  
3:14-cv-05114-RBL

Timothy Dietz  
2503 34<sup>th</sup> Ave  
Longview WA 98632  
360-442-9832

**WHEREFORE**, Plaintiff Timothy Dietz moves this Court to enter an Order remanding back to Washington State Small Claims Court case 14 S 4, granting such other and further relief as the Court may deem reasonable and just under the circumstances.

Dated this 24<sup>th</sup> day of February 2014.

Respectfully Submitted,

~~Timothy Dietz~~

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing will be electronically mailed to Robert E. Sabido, Esq., rsabido@cosgravelaw.com this 24<sup>th</sup> day of February 2014.

Respectfully,

Timothy Dietz

6503 34<sup>th</sup> Ave

Longview WA 98632

360 442 0832

timthepostman@yahoo.com

## VERIFICATION

**STATE OF WASHINGTON  
COUNTY OF COWLITZ**

**BEFORE ME** personally appeared Timothy Dietz who, being by me first duly sworn and identified in accordance with Washington law, deposes and says:

1. My name is Timothy Dietz, plaintiff herein.
2. I have read and understood the attached foregoing complaint filed herein, and each fact alleged therein is true and correct to my own personal knowledge

SWORN TO and subscribed before me this <sup>STATUTORY</sup> 24 day of February 2014.

Timothy Dietz, Plaintiff

**MOTION TO REMAND  
3:14-cv-05114-RBL**

Timothy Dietz  
2503 34<sup>th</sup> Ave  
Longview WA 98632  
360-442-9832

1  
2 Cynthia Y. Carl  
3 Notary Public

4 My commission expires: 6-14-14  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

MOTION TO REMAND  
3:14-cv-05114-RBL

Timothy Dietz  
2503 34<sup>th</sup> Ave  
Longview WA 98632  
360-442-9832